

# TRIBAL CONSULTATION & PARTICIPATION

## ISSUE

The involvement of Tribal governments in activities of the Indian Health Service (IHS) is mandated by law.

## BACKGROUND

The Federal Government's relationship with American Indian and Alaska Native Tribes is a "government-to-government" relationship based on treaties, law, Presidential Executive orders, and numerous court decisions. An integral part of this relationship is the requirement that agencies of the Federal Government consult with and involve Tribal leaders in decisions and activities that affect Tribal governments and members of their sovereign nations. In 1997, the Director, IHS, promulgated the first comprehensive Tribal Consultation and Participation Policy in the Federal Government. The policy established a minimum set of expectations for IHS staff with respect to consulting with Tribal leaders and involving them in IHS activities.



## SITUATION

Throughout the year, the IHS conducts a variety of consultation forums with Tribal leaders and representatives of Tribal governments (national meetings, regional inter-Tribal consultation sessions, meetings with delegations of leaders from individual Tribes, etc.). In recent years, Tribal leaders and representatives have come to play an important role in the annual formulation and prioritization of the IHS budget and health priority focus at the national and regional levels.

The increased involvement of Tribes in advising and participating in the decision-making process of the Agency has resulted in stronger collaborations between the Federal Government and Tribal Governments; innovations in the management of programs; and timely and important issues being brought forward for consideration by the IHS, the Administration, and the Congress.

## OPTIONS/PLANS

Consultation practices within the IHS are reviewed continuously to ensure that they meet the requirements of the policy that governs consultation in the Agency. In 2001, the IHS adopted a revised Tribal Consultation Policy based on 4 years of experience with the initial policy and continuing discussion with Tribal Leaders concerning consultation activities with the IHS. In 2005, the IHS again participated in discussions with Tribal Leaders concerning new and revised procedures to improve consultation in the IHS. This resulted in the adoption of the third IHS Consultation Policy in January 2006. This policy contains new procedures such as a requirement for the IHS to solicit Tribal evaluation of IHS consultation meetings and activities. Additionally, the policy provides for new reporting requirements, such as an annual report to Tribal Leaders on the "State of Consultation" in the IHS.

## ADDITIONAL INFORMATION

For referral to the appropriate spokesperson, contact the IHS Public Affairs Staff at 301-443-3593.